

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JDS THERAPEUTICS, LLC,)	
and)	
NUTRITION 21, LLC,)	
)	Case No. 1:15-cv-04365 (JSR) (AJP)
Plaintiffs,)	
)	
v.)	
)	
CVS PHARMACY, INC.,)	
)	
Defendant.)	
)	

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties to the above-referenced action hereby stipulate that pursuant to Rule 41(a)(ii) of the Federal Rules of Civil Procedure, the above-captioned action is dismissed with prejudice.

Each party will bear its own costs.

Dated: November 11, 2015

<p>STROOCK & STROOCK & LAVAN, LLP Attorneys for Plaintiffs</p> <p>By: <u> s/ Brian M. Rothery </u> Brian M. Rothery Matthew W. Siegal Jason M. Sobel Madelon L. Witte 180 Maiden Lane New York, NY 10038 Telephone: (212) 806-6663 Facsimile: (212) 806-7663 Email: SSL-JDS_v_CVS@stroock.com <i>Attorneys For Plaintiffs JDS Therapeutics, LLC and Nutrition 21, LLC</i></p>	<p>ROTHWELL, FIGG, ERNST & MANBECK, P.C. Attorneys for Defendant</p> <p>By: <u> s/ Steven Lieberman </u> Steven Lieberman Sharon L. Davis Daniel McCallum Rachel M. Echols Rothwell, Figg, Ernst & Manbeck P.C. 607 14th Street, N.W., Suite 800 Washington, DC 20005 Tel.: (202) 783-6040 Fax: (202) 783-6031 Email: slieberman@rothwellfigg.com Email: sdavis@rothwellfigg.com Email: dmccallum@rothwellfigg.com Email: rechols@rothwellfigg.com <i>Attorneys for Defendant CVS Pharmacy, Inc.</i></p>
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JDS THERAPEUTICS, LLC and
NUTRITION 21, LLC,

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ECF CASE

CERTIFICATE OF SERVICE

I, Tanya Lee, hereby certify that the foregoing Stipulation of Dismissal was served on the following counsel of record for Defendant via ECF filing and email on November 11, 2015 to the following:

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